## The New York Times

## No Heat for Days at a Jail in Brooklyn Where Hundreds of Inmates Are Sick and 'Frantic'

**By Annie Correal** 

Feb. 1, 2019

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More than a thousand inmates have been stuck in freezing cells at a federal jail on the Brooklyn waterfront that has had limited power and heat for at least this week, according to federal public defenders and leaders of the union representing the jail's corrections officers.

"They just stay huddled up in the bed," said June Bencebi, a case manager at the jail and the treasurer of the local chapter of the American Federation of Government Employees, which represents about 500 corrections officers at the jail.

The jail, the Metropolitan Detention Center, houses more than 1,600 inmates and lies in an industrial swath near the waterfront in Sunset Park, Brooklyn. Some are linked to high-profile drug trafficking and terrorism cases, while other inmates are comparatively anonymous New Yorkers awaiting trial.

The accounts of conditions at the jail were described to The New York Times by six lawyers and paralegals with local Federal Defenders offices, who had spoken with around three dozen inmates at M.D.C.; two union leaders; and an employee at the jail who was not authorized to speak publicly.

A spokeswoman for Herman Quay, the jail's warden, said in an email that the building experienced a partial power outage on Saturday but denied that it had affected heat and hot water in the jail's housing units.

Union leaders and defense lawyers refuted that account.

Federal defenders said they were flooded with calls from inmates this week as temperatures began to drop. "Our phone was ringing off the hook," said the lead federal defender in Brooklyn, Deirdre von Dornum. She said inmates, using a dedicated line that connects the jail to federal defenders offices, had gathered around the telephones on their floors to report poor heating, little to no hot water and no lights in their cells.

On Thursday, Rachel Bass, a paralegal at the Brooklyn office of the Federal Defenders said that she had fielded calls from about 15 inmates. "In the past hour I have gotten 11 calls," she said. "People are frantic. They're really, really scared. They don't have extra blankets. They don't have access to the commissary to buy an extra sweatshirt."

She said many inmates complained of congestion and sore throats.

The president of the local chapter of the union, Anthony Sanon, said the problems began around Jan. 5 when the jail lost power for the first time. The heating issues began last week, leaving inmates and staff to face freezing weather for the first time. "We didn't have heat in the building, we didn't have light," Mr. Sanon said. "The weather was actually unbearable."

An electrical fire on Sunday further hobbled the functioning of the jail. The jail switched over to emergency power, leaving the corridors lit only by dim emergency lights, the cells dark and the building poorly heated during the coldest days of the winter so far. This week, the temperature plummeted to 2 degrees in New York City, as frigid weather swept over the Midwest and Northeast.

"The heat isn't coming out properly," Mr. Sanon said.

One inmate told a federal defender that a corrections officer had taken the temperature in a housing unit, which was warmer than the cells, and it was 34 degrees.

New York City's Fire Department confirmed that it responded to a small electrical fire in the jail's control room on Sunday.

But the warden's spokesman, who signed her name V. Logan, said in the email the power outage had "minimally impacted" housing units.

"All housing units have functional lighting," she said. "Heat and hot water has not been impacted. Likewise, inmate meals are not impacted; inmates are receiving regularly scheduled hot meals each day."

Taken together, the accounts of nearly three dozen inmates given to federal defenders painted a different picture of conditions inside the jail.

Heat was the main complaint. The heat was spotty to nonexistent, depending on the floor. Hot water was scarce. Hot food had not been served for several days, with canned food handed out cell by cell. One inmate, who kept kosher, said he had only been given canned sardines.

The inmates were promised extra blankets, but they never came. The commissary, because of the limited electricity, was closed.

"All said they were wearing whatever they could to stay warm," said Randi Chavis, a federal defender in the Central Islip, N.Y., office who spoke to several people. "Extra pairs of socks, towels wrapped around their heads, durags, thermals if they have them."

The conditions were aggravated by the lack of electrical power, inmates told the lawyers and paralegals. The jail had abandoned its usual routines, with inmates kept on partial lockdown for safety reasons.

Because power outlets were not working, the inmates could not use the computers that usually allow them to communicate with relatives and place requests for prescription refills.

"One man takes anti-seizure medication which he is allowed to keep with him," Ms. Chavis said. "He takes two pills a day and is down to his last three pills."

Legal visits and family visits had been canceled since Sunday, the lawyers said.

The recent events come on the heels of the government shutdown, which impeded the ability of lawyers to visit their clients in federal jails, including at M.D.C. It was not immediately clear whether the power and heat issues were related to the shutdown.

On Thursday, the federal defenders filed an emergency motion to remove from the jail an inmate whose asthma had worsened from the cold. The inmate, Dino Sanchez, a Brooklyn man in his 40s, had recently entered the jail and was being held in the Segregated Housing Unit, a restrictive area where some inmates are kept in solitary, a federal defender, Benjamin Yaster, said.

Mr. Yaster said in an interview that his client had been among those left in a dark cell, illuminated only by sunlight from the windows, virtually around the clock. "The population was kept in their cells for 23 hours," he said. "He's stuck in these cold conditions in a short sleeved jumpsuit and a short sleeved undershirt."

"He feels short of breath and is wheezing and coughing more than he normally would," said Mr. Yaster.

The federal defenders initially requested that the M.D.C. management provide backup heating or more blankets. They later requested that inmates be moved to an adjacent building, now empty but for a few dozen female inmates.

They said they received no response. "Not only have the conditions been disgraceful but we have peppered them with questions and we get nothing but silence," said David E. Patton, head of the federal defender office. The office represents thousands of indigent defendants.

"They might say, 'an incident occurred,' or 'visiting is canceled' but when we follow-up to ask if people have heat, hot water, or adequate access to their families or attorneys, they stonewall us," Mr. Patton said.

The building next door, also run by the jail, has full power and heat.

Mr. Sanon, the labor union leader, said he contacted the warden beginning early last week and toured the jail with him. He was assured heat would be monitored. "To no avail," he said on Thursday.

"This morning again I got a call," he added. "It was freezing."

Ms. Bencebi, the union treasurer, said she was particularly concerned for elderly inmates. "I have several inmates that are very elderly," she said. "One of them complained that he's been sick for the last few days. He looks sickly. He's walking slower. Talking slower."